

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ARIGNA TECHNOLOGY LIMITED §  
§  
v. § Case No. 2:21-CV-00054-JRG-RSP  
§  
VOLKSWAGEN AG, et al. §

**JOINT AGREED MOTION TO AMEND DOCKET CONTROL ORDER**

Plaintiff Arigna Technology Limited and Defendants Volkswagen AG; Volkswagen Group of America, Inc.; Bayerische Motoren Werke AG; BMW of North America, LLC; Daimler AG; Mercedes-Benz USA, LLC; Nissan Motor Co., Ltd.; Nissan North America, Inc.; Tesla, Inc.; Tesla Motors TX, Inc.; Toyota Motor Corporation; Toyota Motor North America, Inc.; General Motors LLC; Continental AG; Conti Temic Microelectronic GmbH; and ADC Automotive Distance Control Systems GmbH jointly move to amend the Docket Control Order as follows:

The claim construction hearing in this matter was originally scheduled for November 10, 2021. [Dkt. 200]. It was re-set to December 17, 2021, and then re-set again to January 21, 2022. [Dkt. 388]. The Court Order regarding the latter also extended the deadlines for fact discovery, motions to compel, expert disclosures, and expert discovery for 30 days each. *Id.* Given the extension of discovery and expert deadlines, the parties believe good cause exists to amend the remaining deadlines in the DCO as follows:<sup>1</sup>

	<b><u>Current Date</u></b>	<b><u>Proposed Date</u></b>
*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b>	May 23, 2022	Same
* If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly	April 25, 2022	Same

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<sup>1</sup> Defendants contend the jury selection date will need to be extended as well but agree with Plaintiff to amend the dates as indicated at this stage of the case.

submitted to the Deputy Clerk in Charge by this date.		
*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Roy Payne	April 19, 2022	May 3, 2022
*Notify Court of Agreements Reached During Meet and Confer  The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.	April 13, 2022	May 2, 2022
*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations	April 11, 2022	April 29, 2022
*File Notice of Request for Daily Transcript or Real Time Reporting.  If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shawn McRoberts, at <a href="mailto:shawn_mcroberts@txed.uscourts.gov">shawn_mcroberts@txed.uscourts.gov</a> .	April 4, 2022	Same
File Motions <i>in Limine</i>  The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.	March 28, 2022	April 22, 2022
Serve Objections to Rebuttal Pretrial Disclosures	March 28, 2022	April 22, 2022
Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures	March 21, 2022	April 15, 2022
Serve Pretrial Disclosures (Witness List, Deposition Designations, and	March 7, 2022	April 1, 2022

Exhibit List) by the Party with the Burden of Proof		
*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. Motions for Summary Judgment shall comply with Local Rule CV-56.	February 28, 2022	March 28, 2022
*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)  No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.	February 14, 2022	March 14, 2022
*File Dispositive Motions  No dispositive motion may be filed after this date without leave of the Court.  Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>	February 14, 2022	March 14, 2022

A proposed Amended Docket Control Order is submitted herewith.

Dated: January 6, 2022

Respectfully submitted,

/s/ Tonya M. Gray

Tonya M. Gray (State Bar No. 24012726)

[tonyagray@HuntonAK.com](mailto:tonyagray@HuntonAK.com)

HUNTON ANDREWS KURTH LLP

1445 Ross Avenue, Suite 3700

Dallas, TX 75202

Tel: (214) 979-3000

Fax: (214) 880-0011

Michael A. Oakes (VA Bar No. 47245)

[moakes@HuntonAK.com](mailto:moakes@HuntonAK.com)

HUNTON ANDREWS KURTH LLP

2200 Pennsylvania Avenue NW

Washington, DC 20037

Tel: (202) 955-1500

Fax: (202) 778-2201

George E. Badenoch (NY Bar No. 1165323)

(to be admitted pro hac vice)

[gbadenoch@HuntonAK.com](mailto:gbadenoch@HuntonAK.com)

HUNTON ANDREWS KURTH LLP

200 Park Avenue

New York, NY 10166

Tel: (212) 309-1000

Fax: (212) 309-1100

*Attorneys for Defendants*

*Toyota Motor Corporation and*

*Toyota Motor North America, Inc.*

/s/ Andrew J. Koopman w/ permission

Andrew J. Koopman

Christopher H. Blaszkowski

RatnerPrestia

2200 Renaissance Blvd. Ste. 350

King of Prussia, PA 19406

Telephone: 610-407-0700

Facsimile: 610-407-0701

[akoopman@ratnerprestia.com](mailto:akoopman@ratnerprestia.com)

[cblaszkowski@ratnerprestia.com](mailto:cblaszkowski@ratnerprestia.com)

J. Thad Heartfield

Texas Bar No. 09346800

The Heartfield Law Firm

2195 Dowlen Road  
Beaumont, Texas 77706  
Telephone: 409-866-3318  
Facsimile: 409-866-5789  
[thad@heartfieldlawfirm.com](mailto:thad@heartfieldlawfirm.com)

*Attorneys for Defendants, Continental AG,  
Conti Temic Microelectronic GmbH, and ADC  
Automotive Distance Control Systems GmbH*

/s/ Elliot C. Cook w/ permission

Eric H. Findlay (TX Bar No. 00789886)  
FINDLAY CRAFT, P.C.  
102 North College Avenue, Suite 900  
Tyler, Texas 75702  
Tel: (903) 534-1100  
Fax: (903) 534-1137  
[efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)

Elliot C. Cook  
Alexander M. Boyer  
Matthew S. Johnson  
Finnegan, Henderson, Farabow, Garrett &  
Dunner,  
LLP  
11955 Freedom Drive, Reston, VA 20190-5675  
Tel: (571) 203-2738  
Fax: (202) 408-4400  
[elliot.cook@finnegan.com](mailto:elliot.cook@finnegan.com)  
[alexander.boyer@finnegan.com](mailto:alexander.boyer@finnegan.com)  
[matt.johnson@finnegan.com](mailto:matt.johnson@finnegan.com)

Gerald F. Ivey  
J. Preston Long  
Finnegan, Henderson, Farabow, Garrett &  
Dunner,  
LLP  
901 New York Ave., N.W.  
Washington, D.C. 20001-4413  
Tel: (202) 408-4000  
Fax: (202) 408-4400  
[gerald.ivey@finnegan.com](mailto:gerald.ivey@finnegan.com)  
[j.preston.long@finnegan.com](mailto:j.preston.long@finnegan.com)

COUNSEL FOR DEFENDANTS  
VOLKSWAGEN AG and

VOLKSWAGEN GROUP OF AMERICA,  
INC.

/s/ Celine J. Crowson w/ permission

Celine J. Crowson  
Joseph J. Raffetto  
Hogan Lovells US LLP  
555 Thirteenth St, NW  
Washington, DC 20004  
Telephone: (202) 637-5703  
Facsimile: (202) 637-5910  
Email: [celine.crowson@hoganlovells.com](mailto:celine.crowson@hoganlovells.com)  
Email: [joseph.raffetto@hoganlovells.com](mailto:joseph.raffetto@hoganlovells.com)

Melissa R. Smith  
Texas Bar No. 24001351  
[melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)  
GILLAM & SMITH, LLP  
303 South Washington Avenue  
Marshall, Texas 75670  
Tel: (903) 934-8450  
Fax: (903) 934-9257

*Counsel for Defendants Daimler G and  
Mercedes-Benz USA, LLC.*

/s/ Lionel M. Lavenue w/ permission

Lionel M. Lavenue  
Virginia Bar No. 49,005  
Bradford Schulz  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
1875 Explorer Street, Suite 800  
Reston, VA 20190-6023  
Phone: (571) 203-2700  
Fax: (202) 408-4400

R. Benjamin Cassady  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
901 New York Ave., NW  
Washington, D.C. 20001  
Phone: (202) 408-4000  
Fax: (202) 408-4400

ATTORNEYS FOR DEFENDANTS

BMW OF NORTH AMERICA, LLC and  
BAYERISCHE MOTOREN WERKE AG

*/s/ Patrick A. Lujin w/ permission*

Patrick A Lujin, MO State Bar No.: 41392

Mary J. Peal, MO State Bar No.: 62217

SHOOK HARDY & BACON LLP

2555 Grand Blvd.

Kansas City, MO 64108-2613

Phone: 816-474-6550

Fax: 816-421-5547

[plujin@shb.com](mailto:plujin@shb.com)

[mpeal@shb.com](mailto:mpeal@shb.com)

David W. Morehan

TX State Bar No.: 24065790

SHOOK HARDY & BACON LLP

JP Morgan Chase Tower

600 Travis St., Ste. 3400

Houston, TX 77002

Phone: 713-227-8008

Fax: 713-227-9508

[dmorehan@shb.com](mailto:dmorehan@shb.com)

Melissa R. Smith

State Bar No. 24001351

GILLAM & SMITH, LLP

303 South Washington Avenue

Marshall, Texas 75670

Telephone: (903) 934-8450

Facsimile: (903) 934-9257

Email: [melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)

COUNSEL FOR DEFENDANTS NISSAN  
NORTH AMERICA, INC. AND NISSAN  
MOTOR CO., LTD.

*/s/ Marissa Ducca w/ permission*

Victoria F. Maroulis (admitted to practice in  
the Eastern District of Texas)

Lead Trial Counsel

[victoriamaroulis@quinnemanuel.com](mailto:victoriamaroulis@quinnemanuel.com)

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

555 Twin Dolphin Dr., 5th Floor

Redwood City, CA 94065

Telephone: (650) 801 5000  
Facsimile: (650) 801 5100

Marissa Ducca (admitted to practice in the  
Eastern District of Texas)  
[marissaducca@quinnmanuel.com](mailto:marissaducca@quinnmanuel.com)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
1300 I St NW, Suite 900  
Washington, D.C. 200005  
Telephone: (202) 538 8000  
Facsimile: (202) 538 8100

G. Blake Thompson (State Bar No. 24042033)  
[blake@themannfirm.com](mailto:blake@themannfirm.com)  
J. Mark Mann (State Bar No. 12926150)  
[mark@themannfirm.com](mailto:mark@themannfirm.com)  
MANN TINDEL THOMPSON  
201 E. Howard St.  
Henderson, TX 75654  
Telephone: (903) 657-8540  
Facsimile: (903) 657-6003

Counsel for Defendant General Motors LLC

FISH & RICHARDSON P.C.

By: /s/ Daniel R. Gopenko w/ permission  
Ruffin B. Cordell  
Texas Bar No. 04820550  
[cordell@fr.com](mailto:cordell@fr.com)  
Daniel R. Gopenko  
Virginia Bar No. 83932  
[gopenko@fr.com](mailto:gopenko@fr.com)  
1000 Maine Avenue, SW, Suite 1000  
Washington, DC 20024  
Telephone: 202-783-5070  
Facsimile: 202-783-2331

Aamir A. Kazi  
Georgia Bar No. 104235  
[kazi@fr.com](mailto:kazi@fr.com)  
1180 Peachtree Street, NE, 21st Floor  
Atlanta, Georgia 30309  
Telephone: 404-724-2811  
Facsimile: 404-892-5002

Matthew A. Colvin  
Texas Bar No. 24087331  
[colvin@fr.com](mailto:colvin@fr.com)  
Michael A. Vincent  
Texas Bar No. 24105738  
[vincent@fr.com](mailto:vincent@fr.com)  
1717 Main Street, Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

COUNSEL FOR DEFENDANTS  
TESLA, INC. AND TESLA MOTORS TX,  
INC.

Respectfully submitted,

/s/ Matthew R. Berry w/ permission  
Matthew R. Berry  
Email: [mberry@susmangodfrey.com](mailto:mberry@susmangodfrey.com)  
Rachel S. Black  
Email: [rblack@susmangodfrey.com](mailto:rblack@susmangodfrey.com)  
Andres Healy  
Email: [ahealy@susmangodfrey.com](mailto:ahealy@susmangodfrey.com)  
John E. Schiltz  
Email: [jschiltz@susmangodfrey.com](mailto:jschiltz@susmangodfrey.com)  
Nicholas Crown  
Email: [ncrown@susmangodfrey.com](mailto:ncrown@susmangodfrey.com)  
Danielle Nicholson  
Email: [dnicholson@susmangodfrey.com](mailto:dnicholson@susmangodfrey.com)  
**SUSMAN GODFREY L.L.P.**  
1201 Third Avenue, Suite 3800  
Seattle, TX 98101-3000  
Phone: (206) 516-3880  
Fax: (206) 516-3883

*Of Counsel:*

T. John Ward, Jr.  
Texas State Bar No. 00794818  
E-mail: [jw@wsfirm.com](mailto:jw@wsfirm.com)  
Claire Abernathy Henry  
Texas State Bar No. 24053063  
E-mail: [claire@wsfirm.com](mailto:claire@wsfirm.com)

Charles Everingham IV  
Texas State Bar No. 00787447  
E-mail: [ce@wsfirm.com](mailto:ce@wsfirm.com)  
**WARD, SMITH & HILL, PLLC**  
1507 Bill Owens Parkway  
Longview, TX 75604  
Phone: (903) 757-6400  
Fax: (903) 757-2323

*Attorneys for Arigna Technology Limited*

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for all parties have conferred and the relief sought herein is agreed to by all parties.

*/s/ Tonya M. Gray* \_\_\_\_\_

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this document has been served on all counsel of record via electronic mail through Local Rule CV-5(a) on this 6th day of January, 2022.

*/s/ Tonya M. Gray* \_\_\_\_\_